

From: "Jimmy Kemp" <jimmykemp@noxapatertel.net>
To: "Trudy Fisher, Executive Director, MSDEQ" <trudy_fisher@deq.state.ms.us>
CC: "James I. "Jimmy" Palmer, EPA Region IV Administrator" <Palmer.jimmy@epa.gov>, "Mayor Elvis Hudson" <MARION1BULLY@>
Subject: RE: Marion/Meridian Impasse Concerning Wastewater Treatment and Sowashee Creek TMDL Status
Date: Thursday, June 28, 2007 2:09:36 PM

Executive Director Fisher,

I have not ignored the question you posed to me a while back concerning the above referenced subject. But, particularly at this stage, resolving the issue will be complicated, in my opinion, requiring a collaborative effort by many involved parties, ie MDEQ, EPA, the USDA's Natural Resources Conservation Service (NRCS), US Corps of Engineers (USCOE) the East Central Planning and Development District (ECPDD), the East Mississippi Business Development Corporation (EMBDC), the East Mississippi Foothills Land Trust (EMFLT), private property owners etc, as well as the area elected officials of the City of Meridian (Meridian), the Town of Marion (Marion), and the Lauderdale County Board of Supervisors (Lauderdale County).

Both the Meridian/Marion wastewater treatment rate impasse issue and the TMDL status of Sowashee Creek are complex problems and are entangled. It is also difficult to fairly and/or concisely answer your question without having to go over better than 40 years of history and sounding like a "know it all". Further, as you can see from the latest two attached newspaper articles, misconceptions have abounded and were even fostered over the years, making resolution of the matter even more complicated.

Please note that all of the small Town of Marion, population 1300+, and nearly all of the much larger City of Meridian, population 40,000+, are located within the watershed of Sowashee Creek, while a relatively small section of west Meridian is within the watershed of Okatibbee Creek. Further, all the area Meridian is attempting to annex is located in the Sowashee Creek watershed also, to the best of my understanding. Therefore, the "Watershed Approach" to environmental protection, as currently supported vigorously by EPA and other knowledgeable parties in the field, appears to be the manner in which this dilemma can be most suitably addressed for the benefit of this entire area. To do so, some past history must be reviewed.

While I visited with my grandparents and other Meridian relatives often prior to that time, I actually came to work in Meridian in 1965. Not to dwell on my past or present position anymore than deemed necessary, please know that I started practicing as a professional engineer and surveyor in Meridian in 1968, before there was an EPA or, for that matter, the 1972 Clean Water Act (CWA).

Along with practicing as a PE/PS, I also served as a county engineer for Lauderdale as well as three other East Central Mississippi Counties and took an active part in my community prior to serving as mayor of Meridian from 1985 to 1993. I currently serve as principle partner in the small firm of Engineers and Surveyors, LLC. I am a member of EPA's Local Government Advisory Committee (LGAC), and serve on the Board of Directors of the Southeast Watershed Forum (SEWF). Further, I have truly harbored a passion for environmental protection and the Meridian area all my life.

Ex. "I"

While all or at least most of the support documentation should be on file with MDEQ, my office will gladly furnish you, or any other involved party, with this material, ie correspondence, agreements, resolutions, court rulings, reports, newspaper articles, maps, drawings etc which we possess pertaining to this issue. With the above explanation, it is my opinion that the environmental problems, as well as the wastewater treatment rate controversy, exist for the Meridian-Marion area as follows: ✓

- P. 7
1. Sowashee Creek, running through Marion and Meridian, and other down stream sections of Okatibbee Creek, are declared as biologically impaired and placed on the Impaired Water's List (303 d List), by your agency, MDEQ and EPA,. This stream section has exceeded the TMDL at low water flow. In common terms, Sowashee Creek has been allowed to become polluted.
 2. While by no means the only point source pollutants in the area, we are advised that Meridian's two wastewater treatment facilities simply do not meet effluent standards promulgated by MDEQ and EPA. Based on notices issued by MDEQ, neither of Meridian's wastewater treatment facilities will meet current guidelines concerning effluents which should be allowed to flow into Sowashee Creek.

- P. 8
5. While Meridian's treatment facilities apparently have the capacity to treat the areas wastewater, improvements need to be made to both facilities for compliance with standards promulgated by MDEQ and EPA. Then, if desired, the wastewater from the Marion/NEIP area could be treated by Meridian's East treatment facility as opposed to being connected to the South facility as was done initially.

- P. 9
9. Meridian could establish an equitable and affordable rate that Marion would agree to continue paying for wastewater treatment only. Frankly, contrary to the way some Meridian officials seem to understand the situation, treating Marion's wastewater is costing Meridian very little and provides the City with a hefty positive cash flow to be used in solving other environmental problems, including the impaired stream problem that currently plagues the Sowashee Creek and areas down stream of Meridian. This is particularly true for several reasons. First, Marion pays Meridian for wastewater treatment based on readings from a sewage master meter as opposed to individual water meter readings. Second, Meridian has the wastewater treatment capacity. Third, the City's new East wastewater treatment facility was constructed in large part with State MEIA funds designated to the entire area as a result of the military base realignment process mandated by Congress. Further, it should be recognized that Meridian's East wastewater treatment plant is located almost adjacent to Marion's south city limits.

12.10
EPA, and EMFLT/EMBDC can be of assistance in this endeavor to settle this wastewater treatment rate impasse and to provide the desired environmental protection so desperately needed in the watershed of the Sowashee Creek. In the meantime, the folks in the Marion/NEIP area will continue to be "out muscled" by the much larger and more powerful City of Meridian concerning an equitable wastewater treatment rate and the Sowashee Creek will remain a biologically impaired stream on the MDEQ and EPA 303 d List.

I again apologize for this lengthy explanation. However, I truly appreciate the opportunity to do so. If we can provide additional information to your agency, please feel free to contact me or my office. Thank you.

J.W. "Jimmy" Kemp, PE/PS
jwkemp [REDACTED]

-----Original Message-----

From: Trudy_Fisher@deq.state.ms.us [mailto:Trudy_Fisher@deq.state.ms.us]
Sent: Saturday, June 09, 2007 1:14 PM
To: jimmykemp@noxapatertel.net
Subject: Re: Marion/Meridian Impasse Concerning Wastewater Treatment and Sowashee Creek TMDL Status

Jimmy, How can we find a resolution to this one? I talked with Mayor late Friday.

"Jimmy Kemp"
<jimmykemp@noxapa
tertel.net>

To

"James I. \"Jimmy\" Palmer, EPA
Region IV Administrator"
06/07/2007 01:57 PM
<Palmer.jimmy@epa.gov>, "Trudy
Fisher, Executive Director, MSDEQ"
<trudy_fisher@deq.state.ms.us>

cc

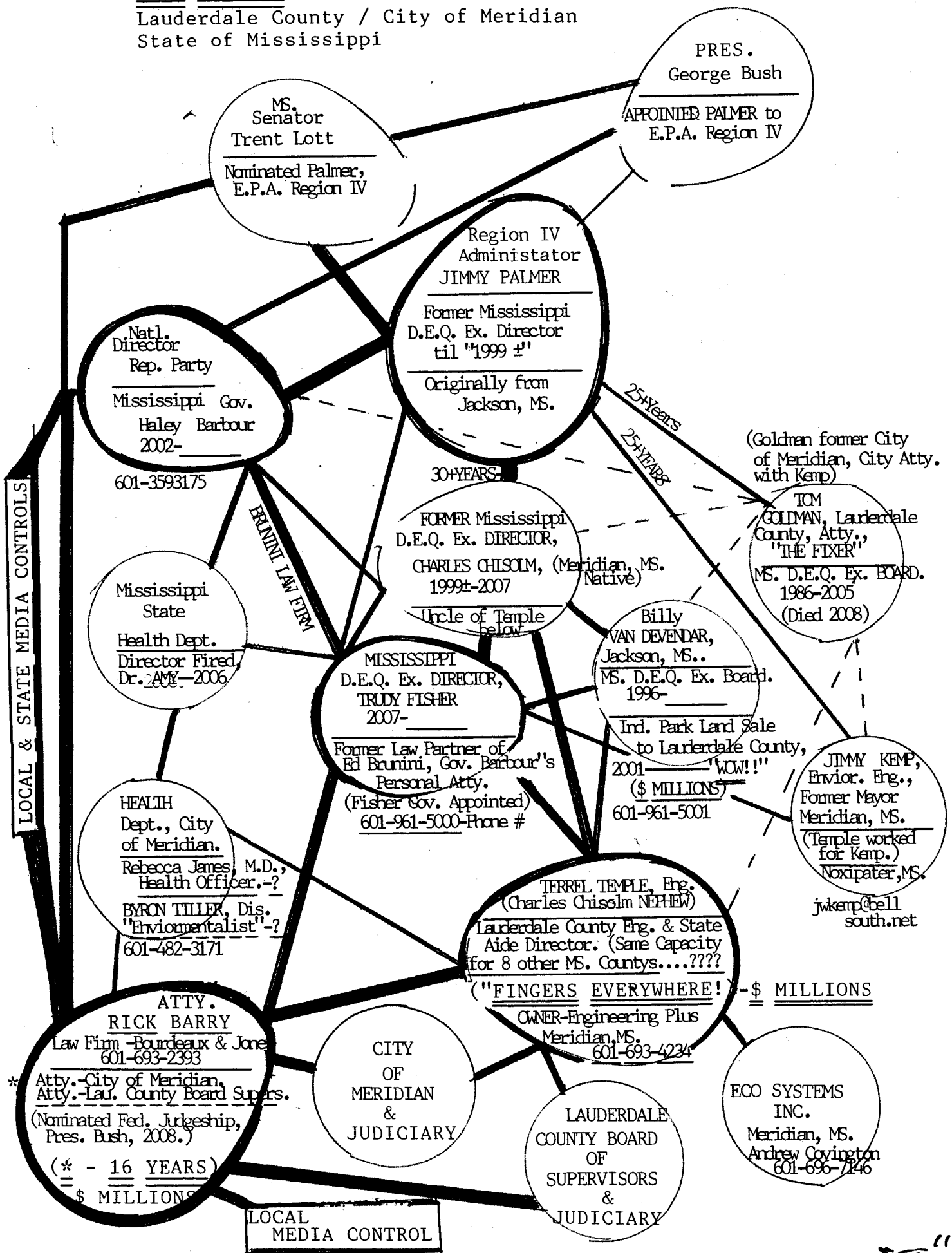
"Elwyn Watson"
<elwynwatson@noxapatertel.net>,
"John McClure"
<john_mcclure@ [REDACTED]>

Subject

Marion/Meridian Impasse Concerning
Wastewater Treatment and Sowashee
Creek TMDL Status

"HAND SHAKERS"

Lauderdale County / City of Meridian
State of Mississippi



E.P.A. & MS.D.E.Q.

JIMMY PALMER & "FRIENDS" COUNTRY

City of Meridian, County of Lardendale,
STATE OF MISSISSIPPI

PURPOSE: RAISE FUNDS FOR PLAQUE/SO PLACEMENT ALONG...

SOWASHEE CREEK'S....WELDED MANHOLE COVERSUP
FLOAT OF SHAME.

VICTIM

SOWASHEE CREEK, Meridian, Mississippi, 1992 declared
(U.S. Watershed, et al) 303-D E.P.A. Impaired National
Watershed, Original List.... Part of
the upper PASCAGOULA WATER BASIN.

(Source. SunHerald.com Art. 2003, p.1, para.1,
p.5, para5-9, A RIVER THREATENED)

NOTE: Pascagoula River Basin.....WRONG???

See PERMIT No. MS. 0020117, Water Pollution
Control, Meridian POTW, Issued 2005-2010,
State of MS. to Meridian, 3pages, attached
as Exhibit "A", Third page.....
"BASIN: TOMBIGBEE RIVER BASIN",.....WHY?

CAVEAT: EXCUSE THIS PESENTATION.....,

Unfortunately, we did not share,(in more ways than one),
in the 2006 \$350,000.00 E.P.A/MS. D.E.Q. GRANT TO THE EAST
MS. FOOTHILLS LAND TRUST, CHUNKY RIVER(Sowashee Creek)
WATERSHED TEAM, ECO SYSTEMS, INC. (Contractor), WHOSE
PURPOSE/CHARGE WAS & IS TO FIND SOURCES OF POLLUTION;
THROUGH TESTING, and providing canoes, paddles, and
garbage bags to float the Sowashee Watersheds, et al.,

(Source: See attached, Exhibit "B", 15pages:

- a. Ex. "B" 1/2 10/07 E.M.B.J. Eco Systems.
- b. Ex. "B" 3/4 East MS. Foothills Land Trust,
Web Site, trvincen@southernco.
com
- c. Ex. "B" 5 10/07 Watershed Meeting/Cleanup.)

BUT....., Without the \$350,000.00, we found 40 years
of MILLIONS OF GALLONS OF RAW/SMEELY
SEWAGE SOURCES THAT ARE POURING DIRECTLY
FROM THE CITY OF MERIDIAN'S SEWAGE
TREATMENT and/or COLLECTION SYSTEM,
(by far NOT IN TOTAL), AND OTHER NON-
POINT SOURCES.

(Amazingly, these fecal sources are flowing, literally, while writing this(after this watershed
received a lite rain) mostly within "a stones throw" of the plush offices of
\$350,000 grant "CONTRACIOR", Meridan's own ECO SYSTEMS, INC..)

FECAL SOWASHEE SOURCES: (See attached Exhibit 'C', MERIDIAN/SEWER MAP)
(NOT IN TOTAL)

(Location: 29th Ave. Bridge at I-20) TITLE
1. TWO SEPARATE NEWS CASTS: WTOK TV, 2 DAYS. (LEAKS)

MARCH 19, 2009 (Reporter Steven Bowers
MARCH 20, 2009 Email: stephen.bowers@wtok.com)

NOTE: WTOK STATION REFUSED OUR REQUEST FOR VIDEO
COPY SITING, "Legal consequences from City of
Meridian:.....????

(Matt Anderson, E.P.A., C.I.D., Jackson, MS.
advised he had obtained a copy)

VIDEO SHOWS OPEN END PIPE, NOT BROKEN PIPE, OF
18"± POURING WIDE OPEN RAW MERIDIAN SEWAGE
INTO SOWASHEE CREEK, NOT RAINING. 2 YEARS..???

(PRINTED TEXT)

(Source: See attached Exhibit "D" WTOK Art.) 2pages)

(Location: Sowashee St., Behind Best Western Hotel)
2. MARCH 25, 2009, WTOK NEWS CAST. (HOTEL OWNER)

(Source: WTOK VIDEO, (recorded at home),
plus WTOK printed text. In addition,
Chronological listing of official
complaints over 10 years to City of
Meridian and MS. D.E.Q., backup
documentation upon request.

(Source: See attached Exhibit "E",
a. WTOK Video.
b. WTOK Video Text. (1page)
c. 20 YEAR OUTLINE, MAP, PHOTOS,
(4pages)

NOTE: FECAL/RAW & SEWAGE RUN-OFF FLOWS DIRECTLY
INTO DITCHES, THEN RUNS UNDER INTERSTATE 220
INTO SOWASHEE CREEK.....20 YEARS +.....????

(Location: East Meridian, Old Hwy 80 Bridge, Just
West of Hawkins Crossing Rd. intersection)
3. APRIL 13, 2009. PHOTOS, 2 SEPARATE MANHOLE LOCATIONS.

PHOTO 3-A, EROSION COMPLETELY AROUND AND UNDER
"MID-AIR HANGING MANHOLE", WHICH
POURS FECAL DIRECTLY INTO SOWASHEE
CREEK. Note train trestle in rear of
picture, train crewman states
he has seen 10' + height
SEWAGE SPOUTS from top of
manhole for years,.....WHY.????

PHOTO 3-B, SHOTS FROM WESTSIDE OF/ACROSS
SOWASHEE CREEK. WHILE SHOOTING,
THIS MANHOLE LITERALLY EXPLODED
FECAL SEWAGE LIKE A HORIZONTAL
PINWHEEL FROM AROUND THE WELDED
MANHOLE COVER.(SOUNDED INCREDIBLE!)

NOTE: WTOK TV STATION WAS CALLED FROM SITE
BUT NEVER SHOWED UP OR CALLED BACK ABOUT
DELAY.....????

Additional photos included which were taken
April 8, 2009 when volcanos were in-active
for some reason.

(Location: Hwy 45 North, Property Site literally
boarders North property line of City of
Meridian and the Town of Marion.

4. 1970 to PRESENT, 40 YEAROLD C.A.F.O..

20 Acres, NO RETENTION POND, INSIDE
THE CITY OF MERIDIAN.

(OFFICIAL COMPLAINTS FOR OVER 40 YEARS,
NEVER PERMITTED, NEVER PERMITTED,)

PERMITTED ALMOST...NPDES # MS0060950...
BUT THAT PERMIT DID NOT EXIST, 7/17/07.

SO NOW....., WERE GOING FOR (CNCP) SOP
MSU008027. 4/10/09.

NOTE: TRUDY FISHER, EX. DIRECTOR, MS. D.E.Q.,
"AGREED ORDER" ISSUED Feb. 11, 2008.

MILLER CATTLE COMPANY, LATEST OWNER,
SIGNED/SIGNATURED LATEST (CNMP) ON...
....., OCTOBER 2, 2009.....????
=

FURTHER, PERMITTEE DOES NOT OWN THE
PROPERTY IT SHOWS TO BE PART
OF THE (CNMP) TO GET PERMIT.

(Additional enclosed... MISC. DOCUMENTS

(JIMMY PALMER'S BUDDIES!!)

(INCLUDING GOV. HALEY BARBOUR)

LAST OFFICIAL COMPLAINTS,
2007. #s 26566 & 26582

NOTE: #4. SEEM CONFUSING ?

THIS C.A.F.O. HAS BEEN POLLUTING
THE SOWASHEE CREEK TRIBUTARY FOR OVER
40 YEARS, (C.A.F.O. HAS NEVER BEEN
PERMITTED), WITH OFFICIAL COMPLAINTS
INCLUDING POSITIVE CITY OF MERIDIAN
WATER SAMPLES, EX. DIR. MS. D.E.Q.,
"AGREED ORDER", SHOWN VALID STATUS
PERMITS ISSUED, ... "BUT DON'T
EXIST" BOGUS (CNMP) Plans.
Please call Wayne Turnbull,
Retired E.P.A. OFFICIAL FOR
HIS OVER 2 YEARS OF INFO. ON
THIS FECAL SOURCE OF U.S.
WATERS.
Phone 706-769-5310
+++++

CANDIDATES FOR PLAQUES.....,

SOWASHEE CREEK'S....MANHOLE COVER-UP
FLOAT OF SHAME.

WITH MILLIONS & MILLIONS SPENT ON THE SOWASHEE CREEK,
(Not only does the Sowashee maintains it's 303-D
status, but The City of Meridian's "DEFUNCT SEWER
SYSTEM BLOWING MILLIONS OF GALLONS OF RAW SEWAGE
INTO THE SOWASHEE, WILLFULLY WITH JIMMY PALMER'S
AIDE, TO ENSURE THE SOWASHEE'S STATUS.....????),

THE FOLLOWING INDIVIDUALS ARE NOMINATED FOR THEIR
KNOWLEDGE OF ASSISTANCE OR PRUPOSEFULL NON-
ASSISTANCE, (WITH DOCUMENTATION), IN NO CERTAIN
ORDER:

(NOT IN TOTAL - DOCUMENTS TO REVIEW)

1. CITY OF MERIDIAN.

- a. With the help of the MS. D.E.Q., the
City is charging the Town of Marion, MS.,
including all the businesses in the N.E.
Industrial Park, an "OUTRAGEOUS \$2.43 a
Gallon" for "SEWAGE TREATMENT" and dumping
it into the Sowashee Creek U.S. Watershed,
FREE OF CHARGE!

(Source: Mayor of Marion, MS., Elvis Hudson,
Phone 601-917-0891, He shot pictures!)

- b. With the help of the MS. D.E.Q., the City
built a sewerline & treatment plant facility
to collect and treat the 15/20 mile away
Naval Air Station, all with federal money.
(This trick closed a fully functional treatment
facility with it's effluent going to the
TOMBIGBEE RIVER BASIN and piped it to the
aalready 303-D Impaired Sowashee Creek into the
PASCAGOULA WATER BASIN in the year 2002.)
TAXPAYER COST: \$10,000,000 ±.

- c. (NOT IN TOTAL)

2. LAUDERDALE COUNTY & BOARD OF SUPERVISORS.(over years & years!)

HEAR NO, SEE NO, DO NO!

3. MISSISSIPPI DEPT. ENVIORNMENTAL QUAILITY.

BRING YOURSELF & NON-HOOKED E.P.A. INDIVIDUALS
TO MERIDIAN AND LET'S GO OVER THE DOCUMENTS/
PAST PROJECTS, ET AL. (UNBELIEVABLE..!!!)

4. MISSISSIPPI DEPARTMENT OF HEALTH, MERIDIAN OFFICE.

M.A.I. OFFICIALS....., M.A.I., MAKE AS INSTRUCTED!
(INSPECTIONS/PERMITS/TIMING,
ETC., LOOK AT ABOVE PICTURES)

5. JIMMY PALMER....STATUS...??

HE NEEDS PERMENENT PICTURE ON CITY OF MERIDIAN'S
DEFUNCT SOUTH SEWAGE PLANT. (Documents Available!)

6. MATT ANDERSON, E.P.A., C.I.D., Jackson, MS..

After meetings in Meridian and his Jackson office
with numerous individuals, faxes, letters, videos,
documents over 2 years±.....?????

(GREAT/NICE GUY, SAYS YAH,YAH....THEN NOTHING HAPPENS,
TIME AFTER TIME!!) .

7. (NOT IN TOTAL---TO BE CONTINUED!!)

PLEASE CONTACT
Wayne Turnbull, retired
E.P.A., who has recently
talked to Matt....????
706-769-5310-Phone.